

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BRIAN J. HEIMES, Personal )  
Representative of the Estate of James )  
A. Heimes, and Personal )  
Representative of the Estate of Bonita )  
Heimes, in Both Capacities, JAMES A. )  
HEIMES, by and through Brian J. )  
Heimes, Personal Representative, and )  
BONITA HEIMES, by and through Brian )  
J. Heimes, Personal Representative, )

Plaintiffs, )

v. )

RONALD D. HINKLE, JERRY )  
MULLENIX, and CONNIE MULLENIX, )  
Defendants. )

8:07CV358

ORDER OF DISMISSAL

The matter before the court is the plaintiff's unopposed motion to dismiss with prejudice. Filing No. 17. The court finds that this matter should be dismissed with prejudice.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that, pursuant to FED. R. CIV. P. 41(a), the plaintiff's cause of action against the defendant is hereby dismissed in its entirety, with prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 29<sup>th</sup> day of January, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge